

DF

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
-----X

SANTINO TOMAINO,

Plaintiff,  
-against-

LEOPOLD GASPARIK, individually, CHRIS  
I. BUDESA, individually; SHERYL SCHULTZ,  
individually and as an employee of the Town of  
Southampton, New York and TOWN OF  
SOUTHAMPTON, NEW YORK,

JUDGMENT IN A CIVIL CASE

Docket No.:  
CV 03 3809

Defendants.

-----X

Defendants' Motions for Summary Judgment came on regularly for hearing before this  
Court on April 11, 2006;

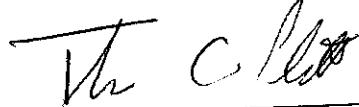
Arshad Majid appeared as attorney for Defendants Leopold Gasparik and Sheryl Schultz;  
Brian A. Andrews appeared as attorneys for the Town of Southampton, New York  
Toni Logue appeared as attorney for Chris I. Budesia;  
Arthur Graseck, Jr. appeared as attorney for plaintiff;

After considering the Motion and all supporting and opposing documents, and the Court  
having heard oral argument of counsel and otherwise being duly advised on all matters presented  
on this cause,

IT IS HEREBY ORDERED that Defendants' Motions for Summary Judgment are hereby  
granted and that this action is hereby dismissed with prejudice.

The Court reserves jurisdiction to determine costs and attorneys' fees.

Dated: May 22, 2006

  
HONORABLE THOMAS C. PLATT

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK)  
) ss.:  
COUNTY OF SUFFOLK)

GILLIAN N. ERICKSON being duly sworn, deposes and says:

That I am over the age of eighteen (18) years, not a party to the within action and reside in Westhampton, New York.

That on the 18th day of May, 2006, I mailed the within **NOTICE OF SETTLEMENT AND PROPOSED JUDGMENT** to the following parties:

ARTHUR V. GRASECK, JR.  
1870 Spur Drive South  
Islip Terrace, New York 11752-1513

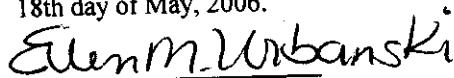
ELLIOT SPITZER  
Attorney General for the State of New York  
c/o Tony E. Logue  
Assistant Attorney General  
200 Old Country Road, Suite 460  
Mineola, New York 11501

ARSHARD MAJID, ESQ.  
300 Rabro Drive, Suite 112  
Hauppauge, New York 11788-4256

by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s)

  
GILLIAN N. ERICKSON

Sworn to before me on the  
18th day of May, 2006.

  
Ellen M. Urbanski

ELLEN M. URBANSKI  
Notary Public, State of New York  
No. 01UR6142342  
Qualified in Suffolk County  
Commission expires 3/20/10

SLEDJESKI  
&  
TIERNEY, P.L.L.C.  
18 FIRST STREET  
P.O. BOX 479  
RIVERHEAD, NY  
11901  
(631) 727-1515

ARSHARD MAJID, ESQ.  
Attorney for GASPARIK & SCHULTZ  
300 Rabro Drive, Suite #112  
Hauppauge, New York 11788-4256

SLEDJESKI  
&  
TIERNEY, P.L.L.C.  
18 FIRST STREET  
P.O. BOX 479  
RIVERHEAD, NY  
11901  
(631) 727-1515